Supporting Statement for Paperwork Reduction Act Submissions
Form and Instructions for
American Indian/Alaska Native
Population and Labor Force Estimate Report
OMB Control Number 1076-0147

Note: This collection expired before the renewal process was completed. A delay occurred due to several factors. Responsibility for completion of the report has been transferred from the Office of Tribal Services, Bureau of Indian Affairs, to the Office of Indian Energy and Economic Development, (OIEED), Office of Assistant Secretary-Indian Affairs. The OIEED has worked with a joint Federal-tribal committee to develop proposed revisions to improve the report, provide training opportunities for those collecting the data and revise the data collection process. We believe that these revisions will improve the response rate to the data collection, the accuracy of the data collected, and timelines of report publication. The information collected will provide a more accurate description of the American Indian/Alaska Native Labor Force.

Terms of Clearance: None

General Instructions

A supporting statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in the Section A below. If an item is not applicable, provide a brief explanation. When Item 17 of the OMB Form 83-1 is checked, "Yes, " Section Bo of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

   Section 17(a) of Public Law 102-477 requires the Secretaries of Interior and Labor to… "develop, maintain and publish, not less than biennially, a report on the population by gender, eligible for the service which the Secretary provides to Indian people. The report shall include, but is not limited to, information at the national level by State, Bureau of Indian Affairs Service area, and tribal level for the – total service population; the service population under age 16 and over 64; the population available for work, including those not considered to be actively seeking work; the employed population, including those employed with annual earnings below the poverty line; and the number employed in private sector positions and in public sector positions." A copy of this section of law is attached.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]

   Tribal representatives collect the data, complete the reports and certify the accuracy. The information may be used for the purpose of designing, planning, and developing programs, grant submissions, and budget planning. This information is used to verify, extrapolate, predict, and identify the level of employment, training, and related needs for American Indians and Alaska Natives. Additionally, it may be used to compare basic labor force data on a national basis, by Federal, State, and tribal governments and private businesses.

   Data is collected on a one-page form as follows:

   Section 1: Contact Information:

   Section 1 requests the name of the Federally Recognized American Indian/Alaska Native Entity reporting, the name of the Bureau of Indian Affairs Regional Office serving the tribe, the State or States where the tribe is physically located, the name, title and telephone number of the person preparing the report, and the date the report was completed.

   Section II.

   Row A requests a count of the number of enrolled tribal members,

   Row B requests a count estimate of the total service population, which is the number of individuals eligible for on-reservation services, for the calendar year, by gender. Rows 1 through 3 then ask for a breakdown of the total service population by age—grouped according to the number under the age 16, the number age 16 through 64 and the number over age 64.

   Row C does not request a count, but identifies the following rows as related to labor force determination. Row 1 requests a count estimate of the population not available for work. Row 2 requests a count of those available for work, and rows a through c request a breakdown by three separate categories: (a). a count estimate of those able and willing to work but unemployed during the entire year, (b). a count estimate of those working part-time, seasonally and/or short-term, and (c). those employed full-time. This section requests a further breakdown of those individuals employed full-time by: (i) those employed in the public/tribal sector, and (ii) those employed in the private sector.

Row D requests an estimated count of the number of individuals employed with earnings below the poverty guidelines.

Section III requests identification of the sources used in collecting data for the report and provides an opportunity for respondents to submit other comments.

Section IV requests the tribe sign a certification regarding the accuracy of the report and date the report.

The next 6 pages contain a purpose statement, instructions, and the current U.S. Department of Health and Human Services (HHS) Poverty Guidelines, as well as the required Paperwork Reduction Act and Privacy Act statements

3. Describe where, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirement.].

   The form and instructions will be available online to allow Tribes to submit their data electronically. The information submitted will be automatically transmitted electronically to the OIEED for consolidation. Each tribe will receive a hard copy of the form and instructions to complete and are given the option to mail their data. The results are made available to the public electronically. Hard copies are also available upon request through the OIEED. OIEED will work with respondents to encourage them to submit electronically; however, because this report has not been available online in the past, OIEED is estimating that approximately 50% will continue to choose to submit via hard copy during the first few years this capability is available.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modifies for use for the purposed described in Item 2 above.

   The information gathered under Pub. L. 102-477 is unique because, although information is collected on the American Indian Population by the Census Bureau, and by the Department of Labor, no information is collected specifically on:
   1. **Enrolled American Indians/Alaska Natives of federally recognized tribal entities;**
   2. **American Indians/Alaska Natives of federally recognized tribal entities that reside within specific Bureau of Indian Affairs, service areas;**
   3. **Non-native individuals that reside within specific Bureau of Indian Affairs service areas;**
   4. **American Indians/Alaska Natives that have exceeded the term of unemployment benefits; and**

5. **American Indians/Alaska Natives with irregular employment including part-time, seasonal and short-term employment.**

Some other Federal agencies collect information on individuals self-reporting as American Indians whereas; information collected in response to Pub. L. 102-477, requires that the American Indian/Alaska Natives be eligible to receive services from the Federal Government, enrolled in a federally recognized Indian tribe.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

   We are collecting information from tribal governments, not considered to be small entities.

6. Describe the consequence to Federal program or policy activities if the collection it not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

   Pub. L. 102-477 requires that the Department of the Interior collect this data biennially. The current collection of demographic information will have exceeded this two year requirement however the lapse of time has allowed the BIA to reevaluate and restructure the design and collection methodologies to produce a more reliable and accurate description of the labor force We believe that this delay will not have any adverse affects and will result in an improved, timely published report. The next report will be published for calendar year 2008.

7. Explain any special circumstances that would cause an information collection to be conduct in a manner:

   Requiring respondents to report information to the agency more often than quarterly;

   Pub. L. 102-477 requires that the information be published biennially, not quarterly.

   * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

   None. Tribes will be provided more than 30 days to respond.

   * requiring respondents to submit more than an original and two copies of any document;

   None. Only the signed original is required.

   * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;

Tribes maintain their own records with no requirements for retention of records.

* in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;

Data is used to provide estimates of the local labor force based upon available documentation such as tribal enrollment records.

* requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

No statistical data classification is used in association with this information collection.

* that includes a pledge of confidentially that is not supported by authority established in statue or regulation, that is not supported by disclose and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or,

This report is submitted to the Congress. No confidential data is collected and reported on individuals. The report becomes public information.

* requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

This collection of information does not require exception to 5 CFR 1320.5(d)(2).

8. a.) If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past three years' and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

   We requested comments in a Federal Register notice published September 16, 2008 (73 FR 53441). A copy of that notice is attached. No public comments were received. A joint Federal-tribal subcommittee of the Pub. L. 102-477 initiative developed the form based upon prior experience using the previous form.

   b.) Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data element to be recoded, disclosed, or reported.

The OIEED consulted with members of the Pub. L. 102-477 tribal work group and with a subcommittee of five of the 562 federally recognized tribal entities, ranging in membership less than 5,000 members to more than 250,000 members. The estimated time it took each tribe to respond to the biennial report was between 1 hour and 4 days, depending on the resources of the tribal government. On average, it will take tribal representatives an estimated 8 hours to complete the survey.

c.) Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation if a specific situation. These circumstances should be explained.

This is a collection of enrollment and employment data that has been requested from the Tribes for more than 30 years. Consultation has been in the form of the Federal Register Notice and coordination with the Pub. L. 102-477 tribal work group representing 262 tribes. The Federal-Tribal Budget Advisory Council has also been consulted through the Tribal Chairperson of the subcommittee on this project. We are continually striving to improve the report. We have also discussed informally with staff of the Office of Management and Budget on needed improvements of this report. The chairperson of this subcommittee is Ms. Carrie McMillan with the Cook Inlet Tribal Council on (907) 793-3300.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

   No gifts or payments are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

    The data collected does not contain any confidential data. Data collection is group data and not data on individuals.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary; the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

    No questions of a sensitive nature are asked or needed for the purposes of this collection.

12. Provide estimates of the hour burden of the collection of information. The statement should:

* Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondent is expected to vary widely because of difference in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
* If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.
* Provide estimates on annualized cost to respondents for the house burdens for collection of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.

Approximately 562 tribes will be expected to respond once every 2 years. We estimate the response will require a total of 8 hours to respond to this information collection (4 hours to keep records related to the response and 4 hours to complete the report).

562 tribes x 8 hours = 4,496 hours every two years
4,496/2 = 2,248 hours per year

Therefore, the total estimated burden hours per year are 2,248 hours.

It is estimated that tribal staff pay equals $ 58,100 per year, based on the Bureau of Labor Statistics salary for a civilian worker in Human Resources. (See www.bls.gov/news.release/ocwage.t01.htm)

$ 58,100 per year / (40 hours per week x 52 weeks per year) = $ 27.93 per hour

Including a multiplier of 1.4 for benefits equals $39.10 per hour ($27.93 x 1.4 = $39.10). Each tribe's cost equals $39.10 per hour times 8 hours for a total cost of $312.80 per tribe.

562 tribes x $312.80 = $175,793.60 every two years
$175,793.60/2 = $87,896.80 per year

Therefore, the total cost is $87,896.80 per year.

13. Provide an estimate of the total annual [non-hour] cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14)

*	The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [information filing fees paid]. Include description of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
*	If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulator impact analysis associated with the rulemaking containing the information collection, as appropriate.
*	Generally, estimates should not include purchases of equipment or services, or portions thereof, make: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirement not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There are no capital or start-up costs for the respondents. While the tribes would do some record keeping, such information is useful for their own programs and the operation of their governments. Tribes also use these data to justify funds from state and local governments.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and other expenses that would not have been incurred without this collection of information. Agencies also may aggregate cost estimate from Items 12, 13, and 14 in a single table.

Tribes will respond within 60 days to collect and submit data to OIEED. Actual cost to publish the final report is estimated at $60,000 for 1,000 copies. The report will also be available electronically and on-line. Data collection will be automated. Two Federal staff members at the GS 11, Step 1 level will work about an estimated 8 weeks to consolidate and verify the tribal report. The salary for a GS 11, Step 1 level is $49,544 per year. (Salary Table 2009 – GS).

$49,544 per year / (40 hours per week x 52 weeks per year) = $ 23.82 per hour

Including a multiplier of 1.5 for benefits equals $35.73 per hour per Federal staff member.

$35.73 x 40 hours = $1,429.20 per week
$1,429.20 x 8 weeks = $11,433.60 per Federal staff member
$11,433.60 x 2 Federal staff members = $22,867.20

Therefore, the total cost for Federal staff members is $22,867.20

The cost of printing the finalized report is estimated to be $60,000 for 1,000 copies.

$22,867.20 Federal staff cost + $60,000 printing = $82,867.20 per report
$82,867.29/2 = $41,433.60

Therefore, the cost for preparing the report including printing and employee staff expenses equals $82,867.20. Since this report is completed only once every two years the annual cost to the Federal government is estimated at $41,433.60.

15. Explaining the reasons for any program changes or adjustments report.

    No program changes or adjustments have been made. This is a reinstatement of a previously approved collection that was discontinued to allow the program office leeway while authority for the collection and publication shifted to OIEED, and to allow OIEED to revise the form. The new, revised report should provide a more accurate description of the American Indian/Alaska Native Population and Labor Force estimated labor force.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending date of the collection of information, completion of report, publication dates, and other actions.

    A consolidated electronic report will be available. The consolidated report will be available on-line. No complex analytical techniques will be used; results of individual responses may be compiled to present consolidated findings. The following time schedule is an example of the completion for the project, as follows:

    - **June 1, 2009, send letter to Tribal leaders with instruction and time frames for completion of the report, upon OMB approval of the form.**
    - **By July 31, 2009, tribes complete report and verification and submit report to the Office of Indian Energy and Economic Development**
    - **By August 15, 2009, the Office of Indian Energy and Economic Development completes analysis of reports and sends report to printing.**
    - **By September 15, 2009, copies of printed reports are submitted to the Congress, in compliance with Section 17(a) of Public Law 102-477, the Indian Employment, Training and Related Services Demonstration Act of 1992, as amended.**

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

    We display the OMB Control Number and the expiration date on the form.

18. Explain each exception to the certification statement identified in 5 CFR 1320.8(b)(s) and 5 CFR 1320.9.

    We are not requesting exceptions to the certification statement.